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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/849,378	05/20/2004	Koichi Miyachi	1035-510	6503
23117	7590	09/16/2005	EXAMINER	
NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			CHIEN, LUCY P	
			ART UNIT	PAPER NUMBER
			2871	

DATE MAILED: 09/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/849,378	Applicant(s) MIYACHI, KOICHI 	
	Examiner Lucy P. Chien	Art Unit 2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

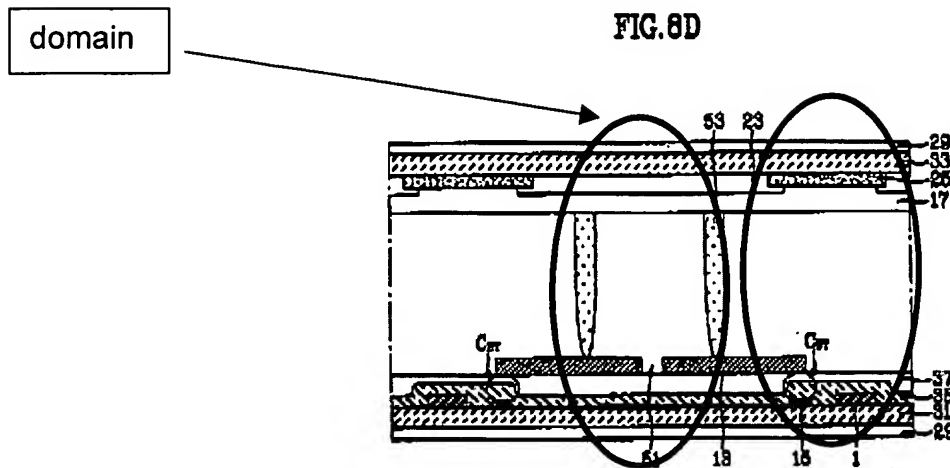
Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1-7,9-13,15 are rejected under 35 U.S.C. 102(e) as being anticipated by Kim et al (US 6774967).

Kim et al discloses (Figure 8D) a pair of substrate (31,33) respectively having electrodes (17,13) on opposing surfaces, the pair of substrates sandwiching a liquid crystal layer (the space between 17 and 13).

A plurality of domains (shown below) formed within a display region when a voltage is applied to the electrodes, the plurality of domains being such that liquid crystal molecules are aligned in different directions from domain to domain, at least one of the electrodes on the pair of substrates having an aperture section (shown below). The liquid crystal layer having a protrusion section (53) which connects the electrodes (17,13)



Regarding Claim 2.

Kim et al further discloses (Figure 8D) at least one of the electrodes (13) has a protrusion (53) as the protrusion section within the display region; and a height of the protrusion is identical to a thickness of the liquid crystal layer (shown above).

Regarding Claim 3.

Kim et al further discloses (Figure 8D) the protrusion (53) is provided to only one of the electrodes on the pair of substrates.

Regarding Claim 4.

Kim et al further discloses (Figure 8D) the protrusion is provided to the electrode (17) which opposes the electrode (13) having the aperture section (51).

Regarding Claim 5.

Kim et al further discloses (Figure 7A which is the section view of Figure 8D) there are domain boundaries at the protrusion section and at the aperture section, the

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domain boundaries being boundaries between the domains in which the liquid crystal molecules are aligned in different direction from domain to domain.

Regarding Claim 6,

Kim et al further discloses (Figure 7A which is the section view of Figure 8D) the protrusion section is provided outside a region where, in a two-dimensional view, the aperture section is provided.

Regarding Claim 7,

Kim et al further discloses the protrusion section (53) is made of dielectric material. (Column 6, rows 25-28).

Regarding Claim 9,

Kim et al further discloses the liquid crystal layer has negative dielectric anisotropy. (Column 8, rows 23-28). The liquid crystal molecules are initially aligned vertically with respect to the electrodes. (Column 3, Rows 8-16)

Regarding Claim 10,

Kim et al further discloses a surface of the protrusion section is subjected to an alignment process which is different from an alignment process of regions other than the surface of the protrusion section.

The applicant is claiming, "a surface of the protrusion section is subjected to an alignment process which is different from an alignment process of regions other than the surface of the protrusion section." The method of forming a device is not proper to the issue of patentability of the device itself. Therefore, this limitation has not been given patentable weight.

Regarding Claim 11,

Kim et al further discloses a surface of the protrusion section is subjected to a horizontal alignment process so that the liquid crystal molecules are initially aligned in parallel with the surface of the protrusion section. (Column 10, rows 60-67, Column 11 1-5).

Regarding Claim 12,

Kim et al further discloses an alignment film is provided to the display region of the pair of substrates, whereas no alignment film is provided to a surface of the protrusion section. (Column 10, Rows 39-46)

Regarding Claim 13,

Kim et al further discloses (figure 8D) the protrusion section is tilted with respect to a thickness direction of the air of substrates.

Regarding Claim 15,

Kim et al further discloses (Figure 7A which is the section view of Figure 8D) the protrusion section (53) is provided in parallel with the aperture section.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al (US 6774967) in view of Takeda et al (US 6724452).

Kim et al does not disclose the protrusion section is made of a light-shielding material.

Takeda et al disclose (Column 26, Rows 32-38) the protrusion made of light-shielding material to prevent passage of visible light whereby contrast improves.

It would have been obvious to one of ordinary skill in the art, at the time of the invention to modify Kim et al's display to include Takeda et al's protrusion made of light-shielding material motivated by the desire to prevent passage of visible light whereby contrast improves.

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Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al (US 6774967) in view of Wang (US 20020001058).

Kim et al does not disclose the aperture section extending in directions which form 45 degree angle.

Wang discloses (Page 3, [0040], IGS. 2A, 3A, 4A, and 5A) the aperture section is bend in such a manner that sides of the aperture section extend in directions which respectively form 45 degrees with a long side and a short side of the display region of the pair of substrates.

It would have been obvious to one of ordinary skill in the art, at the time of the invention to modify Kim et al's display to include Wang's 45 degree angle aperture motivated by the desire to control the tilting directions of the LC molecules, therefore enhancing the brightness of the display.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lucy P. Chien whose telephone number is 571-272-8579. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on (571)272-2293. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lucy Chien
Examiner
Art Unit 2871
LC


ROBERT KIM
SUPERVISORY PATENT EXAMINER